

**SEMINOLE COUNTY GOVERNMENT
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION
AGENDA MEMORANDUM
CONTINUED FROM NOVEMBER 2, 2005**

SUBJECT: Seminola Boulevard Town Home Rezone R-1A TO PUD

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Tony Walter **CONTACT:** Tony Walter ^{TD} **EXT.** 7275

Agenda Date 12/7/05 **Regular** ☐ **Work Session** ☐ **Briefing** ☐
Special Hearing – 6:00 ☐ **Public Hearing – 7:00** ☒

MOTION/RECOMMENDATION:

1. Recommend APPROVAL of the request to rezone approximately 0.78 acres, located on the east side of Seminola Boulevard, approximately 100 feet north of Button Road, from R-1A (Single-Family Dwelling District) to PUD (Planned Unit Development), per the staff report, preliminary master plan and subject to the conditions in the attached development order; (Vanson Enterprises, Inc., applicant); or
2. Recommend DENIAL of the request to rezone approximately 0.78 acres, located on the east side of Seminola Boulevard, approximately 100 feet north of Button Road, from R-1A (Single-Family Dwelling District) to PUD (Planned Unit Development); (Vanson Enterprises, Inc., applicant); or
3. CONTINUE the public hearing until a time and date certain.

(District #2 – Commissioner Morris)

(Tony Walter, Planning Manager)

BACKGROUND:

The applicant, Vanson Enterprises, Inc. requests the rezoning of approximately 0.78 acres, located on the east side of Seminola Boulevard, approximately 100 feet north of Button Road, from R-1A (Single-Family Dwelling District) to PUD (Planned Unit Development). The future land use designation of the subject property is HDR (High Density Residential), which permits a maximum density of fifty (50) dwelling units per acre. The applicant intends to develop nine (9) town homes at a density of 18.11 dwelling units per net buildable acre.

Reviewed by:
Co Atty: _____
DFS: _____
OTHER: _____
DCM: _____
CM: _____
FileNo. Z2005-054

LPA/P&Z NOVEMBER MEETING:

At the November 2, 2005 LPA/P&Z meeting the applicant requested that this request be continued until the December 7, 2005 LPA/P&Z meeting to allow the applicant to review the City of Casselberry letter dated October 25, 2005.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request to rezone approximately 0.78 acres, located on the east side of Seminola Boulevard, approximately 100 feet north of Button Road, from R-1A (Single-Family Dwelling District) to PUD (Planned Unit Development) per the attached staff report, preliminary master plan and subject to the conditions in the attached development order.

Attachments:

Staff Report
Preliminary Master Plan
Location Map
Land Use & Zoning Map
Aerial Map
Plat Map
Development Order
Ordinance
City of Casselberry Correspondence

SEMINOLA BLVD. TOWN HOMES

Rezone from R-1A to PUD

APPLICANT	Vanson Enterprises, Inc	
PROPERTY OWNER	Robert G. Iraci	
REQUEST	Rezone from R-1A (Single-Family Dwelling District) to PUD (Planned Unit Development)	
PROPERTY SIZE	0.78 ± acres	
HEARING DATE (S)	P&Z: November 2, 2005	BCC: January 10, 2006
PARCEL ID	08-21-30-501-0000-0020	
LOCATION	east side of Seminola Boulevard, approximately 100 feet north of Button Road	
FUTURE LAND USE	HDR (High Density Residential)	
ZONING	R-1A (Single-Family Dwelling District)	
FILE NUMBER	Z2005-054	
COMMISSION DISTRICT	#2 – Morris	

Proposed Development:

The applicant is proposing to develop 9 townhome dwelling units at a net density of 18.11 units per net buildable acre.

ANALYSIS OVERVIEW:

ZONING REQUEST

The applicant, Vanson Enterprises, Inc. requests the rezoning of approximately 0.78 acres, located on the east side of Seminola Boulevard, approximately 100 feet north of Button Road, from R-1A (Single-Family Dwelling District) to PUD (Planned Unit Development). The future land use designation of the subject property is HDR (High Density Residential), which permits a maximum density of fifty (50) dwelling units per acre. The following table depicts the minimum regulations for the current zoning district of R-1A (Single-Family Dwelling District) and the requested district of PUD (Planned Unit Development):

DISTRICT REGULATIONS	Existing Zoning (R-1A)	Proposed Zoning (PUD)
Minimum Lot Size	9,000 square feet	880 square feet
Minimum House Size	1,100 square feet	1,200 square feet
Minimum Width at Building Line	75 feet	20 feet
Front Yard Setback	25 feet	10 feet
Side Yard Setback	7.5 feet	7.5 feet
(Street) Side Yard Setback	25 feet	N/A
Rear Yard Setback	30 feet	30 feet
Maximum Building Height	35 feet	35 feet

PERMITTED & SPECIAL EXCEPTION USES

The following table depicts the permitted and special exception uses within the existing and proposed zoning districts:

Zoning District	Permitted uses	Special Exception	Minimum Lot Size
R-1A (existing)	Such as single-family dwelling and their customary accessory uses, boathouses and boat docks as accessory uses, community residential homes housing six (6) or fewer permanent unrelated residents, public and private elementary schools, home offices	Such as churches with their attendant educational, recreational buildings, and off-street parking, public and private middle and high schools, parks and recreational areas publicly owned and operated, guest cottages, subdivision sewage treatment and water plants, assisted living facilities and community residential homes, communication towers,	9,000 square feet
PUD (proposed)	Townhomes and their customary accessory uses and home offices	N/A	880 square feet

COMPATIBILITY WITH SURROUNDING PROPERTIES

The Future Land Use designations, zoning districts and existing uses for the subject and abutting properties are as follows:

(North)			
(West)	HDR Vacant <i>R-1A</i>	HDR Vacant <i>R-1A</i>	HDR Vacant <i>R-1A</i>
	City Road/Dealership <i>Com</i>	HDR Vacant <i>R-1A</i>	HDR Retention Pond <i>R-1A</i>
	City Road/Car Dealership <i>Com</i>	HDR Vacant <i>R-1A</i>	HDR Restaurant <i>R-1A</i>
(South)			

- * **Bold** text depicts the Future Land Use designation, *italicized* text depicts the existing zoning district and plain text depicts existing use. The shaded cell indicates the subject property. More detailed information regarding surrounding properties can be found in the attached Future Land Use, zoning and aerial photo maps.

SITE ANALYSIS:

ENVIRONMENTAL IMPACTS

Floodplain Impacts:

Based on FIRM map number Casselberry 564, a small portion of the site is within the 100-year floodplain.

Wetland Impacts:

Based on preliminary aerial photo and County wetland map analysis, none of the site contains wetlands.

Endangered and Threatened Wildlife:

A Threatened, Endangered and Species of Special Concern survey will be required prior to final engineering approval.

PUBLIC FACILITY IMPACTS

Rule 9J-5.0055(3), Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has elected to defer Concurrency review at this time and therefore, is required to submit an Affidavit of Concurrency Review Deferral. The applicant is required to undergo Concurrency review prior to subdivision approval.

The following table depicts the impacts the proposed development has on public facilities:

Public Facility	Existing Zoning (R-1A)	Proposed Development*	Net Impact
Water (GPD)	1,050	3,015	1,965
Sewer (GPD)	900	2,700	1,800
Traffic (ADT)	29	53	24
Schools			
Elementary	1	2	1
Middle	0	1	1
High	0	1	1

* Proposed PUD development is based on number of units requested by the applicant.

Utilities:

The site is located in the service area of the City of Casselberry and will be required to connect to public utilities. A letter of capacity and intent from the City of Casselberry for water, wastewater and reclaimed water service is required at the time of Concurrency review, and approval of the proposed water service utility plan is required prior to the approval of final engineering plans.

Transportation / Traffic:

The property accesses Seminola Boulevard, which is classified as a four-lane divided collector road. Seminola Boulevard is currently operating at a level of service "C". Staff determined that signal modifications are required at the intersection of Seminola Boulevard and Button Road.

School Impacts:

Based on the formulas provided by the Seminole County School District, the proposed zone change will generate approximately 4 school-age children. This subject site is currently zoned for, and will affect, the following schools:

Schools Impacted	Proposed Impact	Current Capacity	05/06 Enrollment	Percent Capacity
Casselberry Elementary	2	940	762	81.1%
South Seminole Middle	1	1,150	1,218	106%
Lyman High	1	2,540	2,390	94.1%

Public Safety:

The nearest response unit to the subject property is Station # 21, which is located at 681 Seminola Boulevard. Based on a response time of 2 minutes per mile, the estimated response time to the subject property is 2 minutes. The County level-of-service standard for response time is 5 minutes per Policy PUB 2.1 of the Comprehensive Plan.

Drainage:

A small portion of the site is in the 100-year flood plain. Any impacts to the 100-year flood plain will be required to be compensated.

Parks, Recreation and Open Space:

The applicant is proposing to provide 0.295 acres (37.8%) of open space. Staff determined that the applicant must demonstrate 25% of the open space is available to the residents as common usable open space.

APPLICABLE POLICIES:

FISCAL IMPACT ANALYSIS

This project does not warrant the running of the County Fiscal Impact Analysis Model.

SPECIAL DISTRICTS

The subject property is not within a special district.

COMPREHENSIVE PLAN (VISION 2020)

The following policies are applicable with the proposed project:

Policy FLU 2.5: Transitional Land Uses

Policy FLU 2.11: Determination of Compatibility in PUD and PCD Zoning Classifications

Policy POT 4.5 Potable Water Connection

Policy SAN 4.4: Sanitary Sewer Connection

Policy PUB 2.1 Public Safety Level-of-Service

INTERGOVERNMENTAL NOTIFICATION:

Intergovernmental notices were sent to the City of Casselberry and the Seminole County School District on October 20, 2005. A copy of a response from the City of Casselberry is attached.

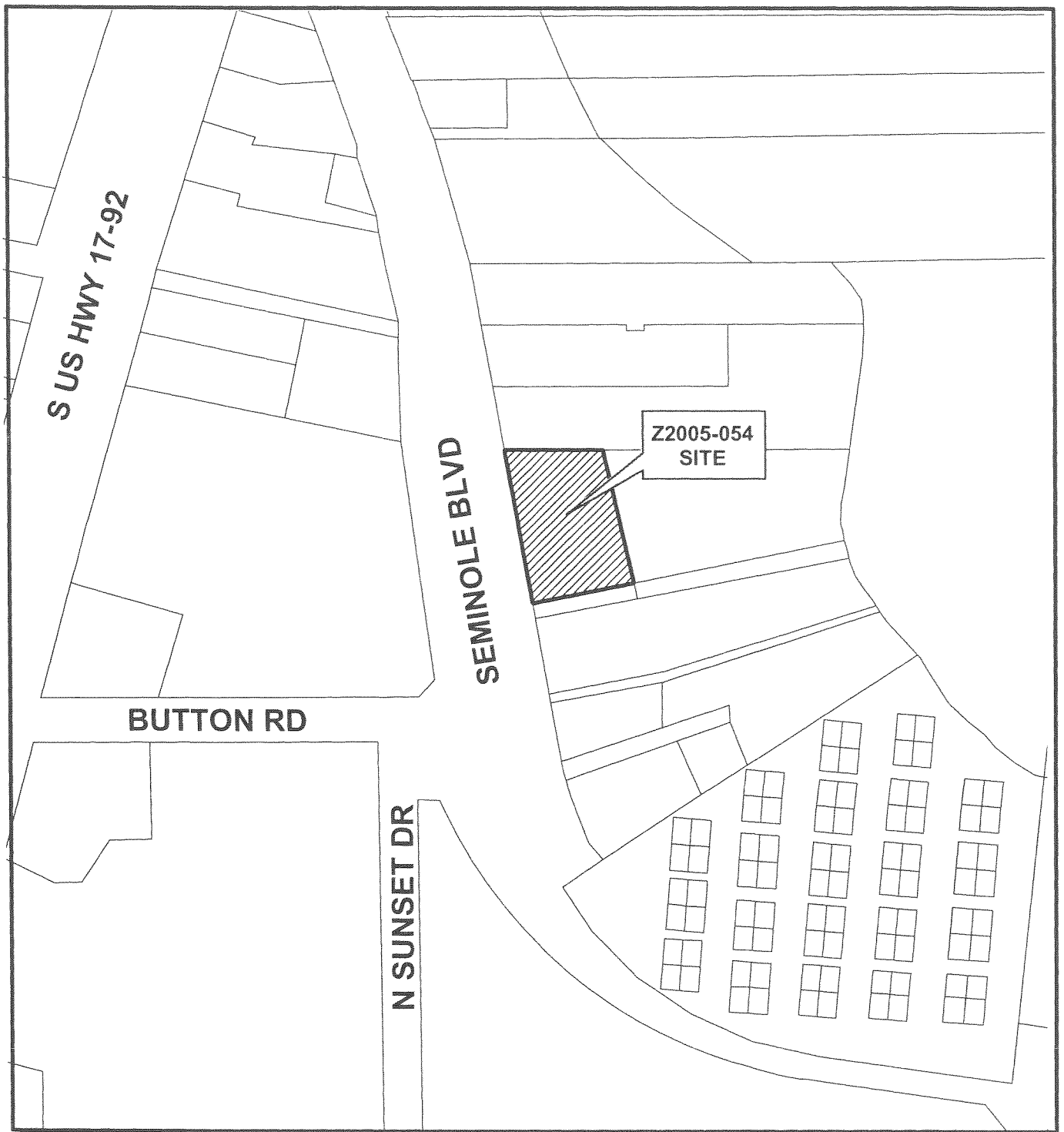
LETTERS OF SUPPORT OR OPPOSITION:

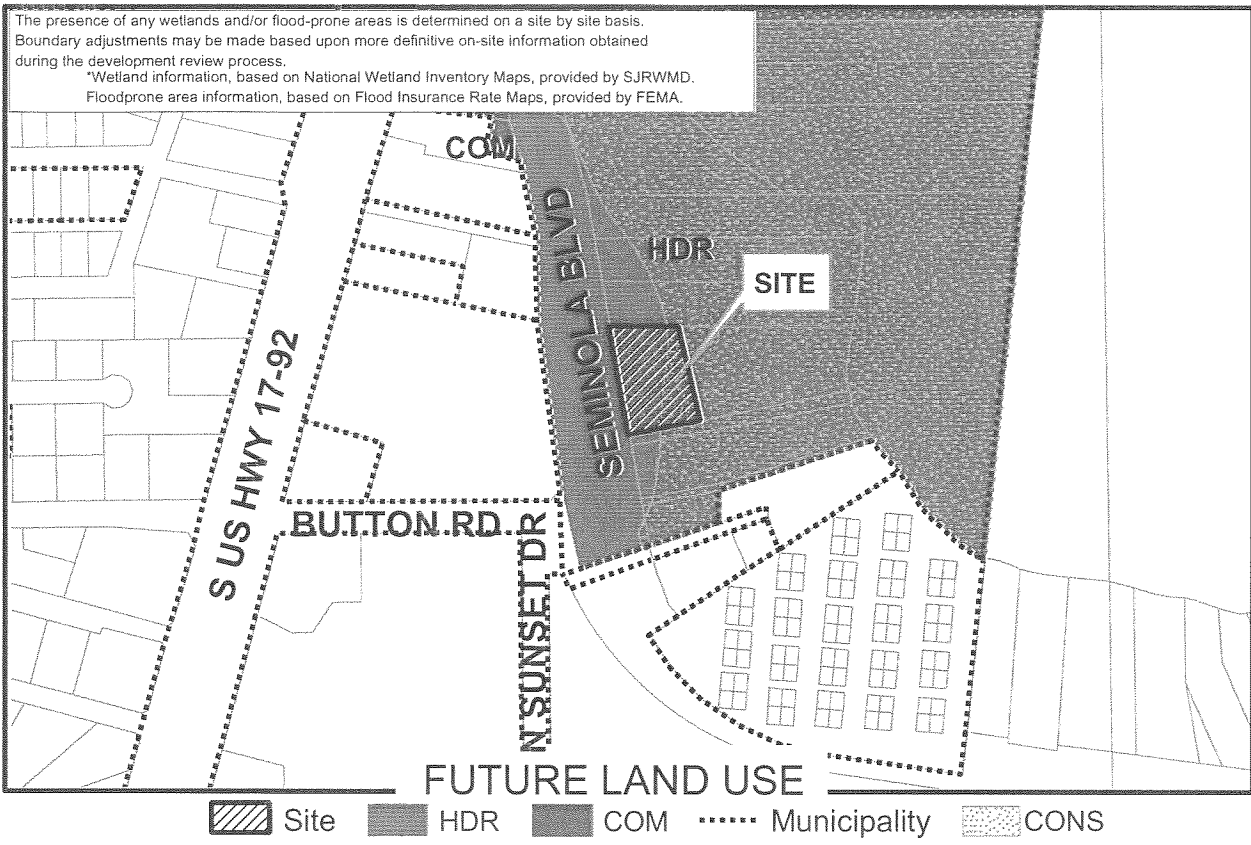
At this time, Staff has received no letters of support or opposition

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request to rezone of approximately 0.78 acres, located on the east side of Seminola Boulevard, approximately 100 feet north of Button Road, from R-1A (Single-Family Dwelling District) to PUD (Planned Unit Development) per the attached staff report, preliminary master plan and subject to the following conditions in the attached development order.

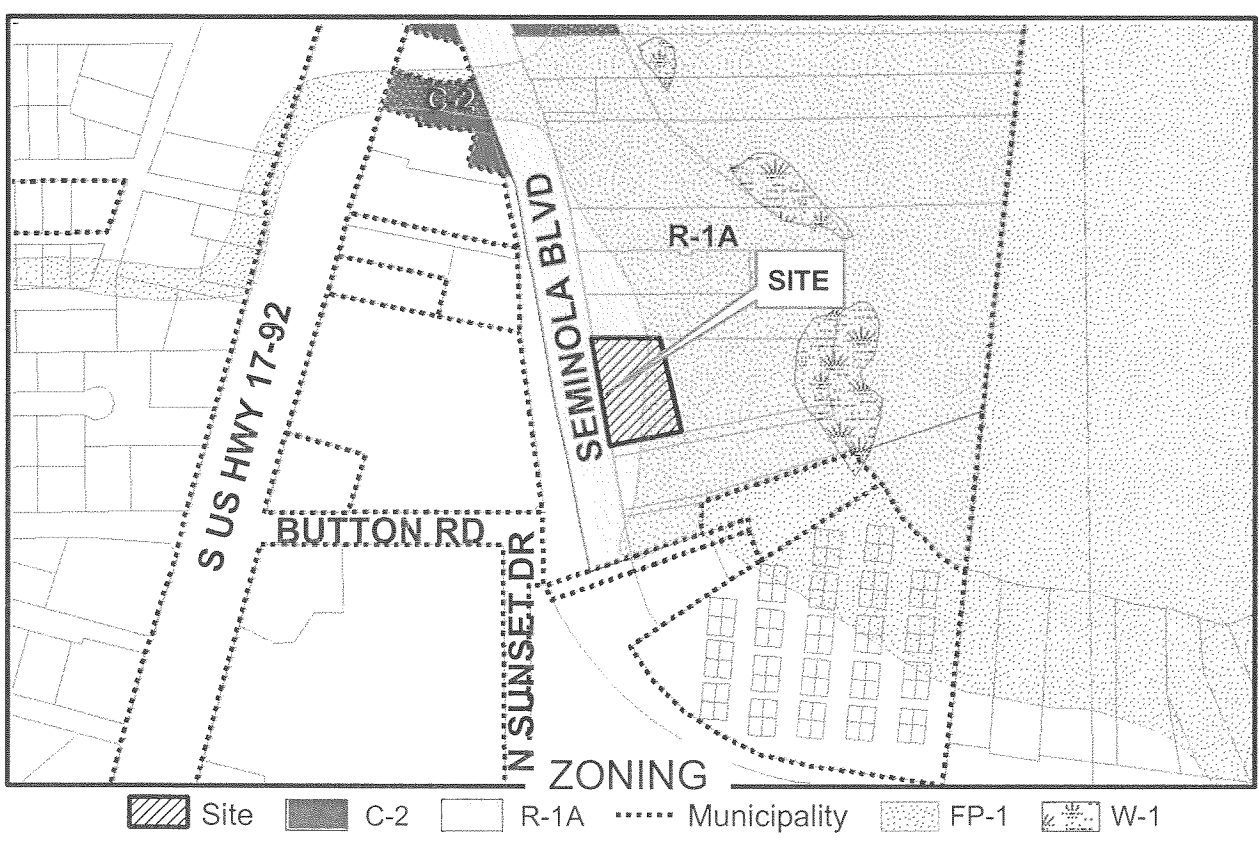
- a. The south entrance shall be relocated to align with the intersection of Seminola Blvd. and Button Road.
- b. The applicant shall fund signal modifications required at Seminole Blvd. and Button Rd.
- c. The applicant shall secure a cross access easement with Seminole County with the property to the south for the realigned southern entrance.
- d. The applicant shall require that the minimum unit size be 1,200 square feet.
- e. The applicant shall require that the minimum lot size be 20 feet by 44 feet.
- f. The applicant shall require that garages not be converted to living space.
- g. The applicant shall provide a minimum of 25% common usable open space.
- h. The applicant shall provide a landscape plan and common usable open space plan prior to Final Master Plan approval.







Applicant: William Lenihan
 Physical STR: 08-21-30-501-0000-0020
 Gross Acres: .78 +/- BCC District: 2
 Existing Use: Vacant Residential
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2005-054	R-1A	PUD





Rezone No: Z2005-053
From: R-1A To: PUD

 Parcel
 Subject Property



January 2004 Color Aerials

PRELIMINARY PLANS

Prepared For
ON ENTERPRISES, INC.

INDEX OF SHEETS

<u>SHEET #</u>	<u>DESCRIPTION</u>
1	COVER SHEET AND LOCATION MAP
2	TOPOGRAPHIC SURVEY (NOT INCLUDED)
3	PRELIMINARY LOT LAYOUT PLAN
4	PRELIMINARY DRAINAGE AND UTILITY PLAN

OWNER

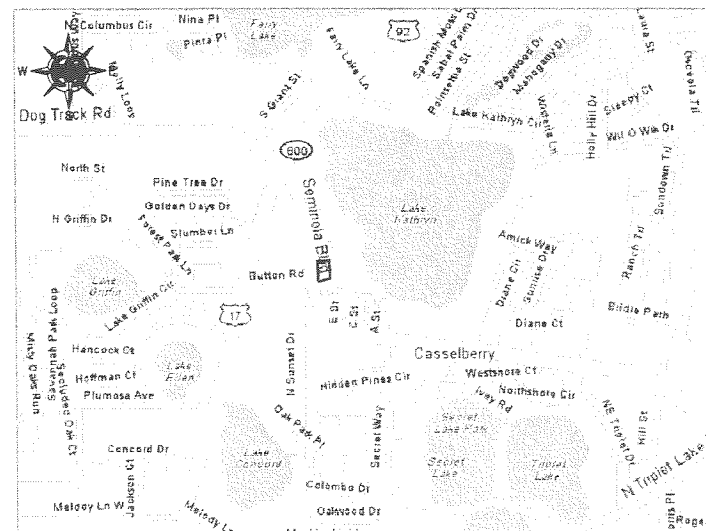
ROBERT G. IRACI
3141 KNOTTYPINE AVE
WINTER PARK, FL. 32792
PHONE: (407) 677-1242
FAX: (407) 677-9017
ROBIRA@CFL.RR.COM

CONTRACTOR

VANSON ENTERPRISES, INC.
1231 KINDEL AVE.
WINTER PARK, FL. 32789
PHONE: (407) 647-2334

CIVIL ENGINEER

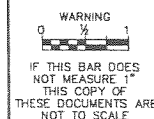
DYER, RIDDLE, MILLS, & PRECOURT, INC.
1505 EAST COLONIAL DRIVE
ORLANDO, FL. 32803
PHONE: (407) 896-0594
FAX: (407) 896-4836









SECTION 8, TOWNSHIP 21 SOUTH, RANGE 30 EAST
VICINITY MAP
SCALE: 1" = 1000'

LEGAL DESCRIPTION (provided by others):

Beginning at the Southwesterly corner of Lot 2, Addition to Central Park, as recorded in Plat Book 7, Page 9, of the Public Records of Seminole County, Florida, said point also being on the Easterly right of way line of Seminola Boulevard; thence N09°16'01"W along the Westerly line of said Lot 2 and said Easterly right of way line of Seminola Boulevard, 240.00 feet to the Northwesterly corner of said Lot 2; thence N89°58'59"E along the Northerly line of said Lot 2, a distance of 142.70 feet; thence run S12°00'23"E, 210.93 feet to a point on the Southerly line of said Lot 2; thence run S78°18'59"W along the Southerly line of said Lot 2, a distance of 151.06 feet to the Point of Beginning.

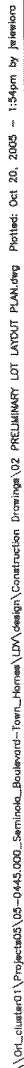


			
			
			
			
			
	DATE		R



JOB NUMBER: 05-0445.000
DATE: OCTOBER, 2005

Mark David Sweeney, P.E.
State of Florida # 46007

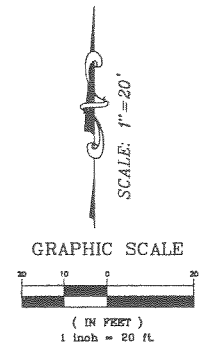


SOIL TYPE LEGEND:
BnB - BLANTON FINE SAND, LOW, 0 TO 5 PERCENT SLOPES
LFA - LEON FINE SAND, 0 TO 2 PERCENT SLOPES

BLDG #	AREA (SF)
1	1,485
2	1,485
3	1,485
4	1,585
5	1,585
6	1,585
7	1,485
8	1,485
9	1,485

PARKING REQUIREMENTS:
9 UNITS WITH GARAGE AND DRIVEWAY SPACE = 18 SPACES
ADDITIONAL GUEST PARKING (ON-STREET) = 8 SPACES
- ONE HANDICAP ACCESSIBLE
TOTAL PARKING SPACES = 26 SPACES

SOIL TYPE LEGEND:
BnB - BLANTON FINE SAND, LOW, 0 TO 5 PERCENT SLOPES
LFA - LEON FINE SAND, 0 TO 2 PERCENT SLOPES

[illegible]

WARNING



IF THIS BAR DOES NOT MEASURE 1" THIS COPY OF THIS DOCUMENT IS NOT TO SCALE

CADD	NAME	DATE
DESIGNED BY	JAW	06/05
DRAWN BY	JAW	06/05
CHECKED BY	DSA	06/05
APPROVED BY	DSA	06/05

FILE:02 PRELIMINARY LOT LAYOUT PLAN.d

Dyer, Riddle, Mills
& Precourt, Inc.



SEMINOLA BLVD. TOWN HOMES
VANSON ENTERPRISES, INC.

SEMINOLE COUNTY, FLORIDA

Mark David Sweeney, P.E.
A State of Florida # 46007

PROJECT NO.	05-0445.000
DATE	OCTOBER, 2005
SCALE	1"=20'
SHEET	3 OF 4

\\or-clad01\Projects\05-0445.000_Seminola_Boulevard-Town_Homes\LD\Design\Construction Drawings\04 PRELIMINARY UTILITY LAYOUT PLAN.dwg Plotted: Oct 20, 2005 - 1:55pm by jstefano

LEGEND:

- WETLAND BOUNDARY
- SOIL BOUNDARY
- FLOOD PLANE BOUNDARY
- DETENTION POND
- SAN SANITARY SEWER MAIN
- WM WATER MAIN
- DR DRAINAGE PIPE
- RWM RECLAIMED WATER MAIN
- FM FORCE MAIN
- SS SANITARY SEWER MANHOLE
- TAP
- MITERED END SECTION

EXISTING WATER MAIN LOCATED
ACCORDING TO MAP BY CITY OF CASSELBERRY
PUBLIC WORKS DEPARTMENT, JUNE 2005
(TO BE VERIFIED)

SEMINOLA BOULEVARD
100.00' RIGHT OF WAY
MEDIAN

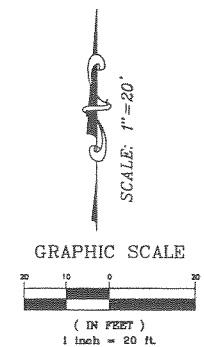
EXISTING SANITARY SEWER LOCATED
ACCORDING TO MAP BY CITY OF CASSELBERRY
PUBLIC WORKS DEPARTMENT, JUNE 2005
(TO BE VERIFIED)

NOTES:

1. FIRE FLOW AND SUPPRESSION SYSTEMS WILL BE PROVIDED ACCORDING TO SEMINOLE COUNTY REGULATIONS.
2. THE SITE IS IN FLOOD ZONE "AE" PER FLOOD INSURANCE RATE MAP OF SEMINOLE COUNTY, FLORIDA, COMMUNITY #12117C, PANEL #0140. DATE OF FIRM 4/17/95. A FLOOD ZONE DETERMINATION WAS PERFORMED ON 10/12/05 BY JIM STROUPE, CERTIFIED FLOODPLANE MANAGER, AT SEMINOLE COUNTY, AND DETERMINED THE BASE FLOOD ELEVATION TO BE 55.0 NGVD. SINCE THE SITE IS ABOVE ELEVATION 55.0, THE SITE IS NOT WITHIN THE 100-YEAR FLOOD PLAIN.
3. STRUCTURALLY, THESE TOWN HOMES WILL BE TWO-STORY STRUCTURES WITH BLOCK ON THE FIRST FLOOR AND STICK FRAME ON THE SECOND STORY. THE BUILDING HEIGHTS WILL RANGE BETWEEN 18 - 20 FT TO TRUSS LEVEL. THEY WILL HAVE A STUCCO FINISH.
4. LEGAL INSTRUMENTS WILL BE CREATED TO PROVIDE FOR MANAGEMENT OF COMMON AREAS AND FACILITIES.

SPRINKLER REQUIREMENTS:

1. A CLASS FIVE CONTRACTOR REQUIRED TO INSTALL FIRE LINES.
2. THE FIRE LINE FOR SPRINKLED BUILDINGS STARTS AT THE DOUBLE DETECTOR CHECK VALVE.
3. NO OTHER WATER CONNECTION SHALL BE OFF THE FIRE LINE.
4. THE FIRE DEPARTMENT CONNECTION SHALL BE WITH-IN 200 FEET OF THE FIRE HYDRANT.
5. ANY FIRE LINE CHARGED BY THE FDC SHALL BE DR-14 PIPE.
6. THE ONLY VALVE ALLOWED IN THE FDC LINES IS A CHECK VALVE.
7. ALL FIRE LINES SHALL BE INSPECTED BY THE FIRE INSPECTION DEPARTMENT BEFORE BEING COVERED.
8. A SEPARATE PERMIT SHALL BE REQUIRED TO INSTALL THE FIRE LINE.



WARNING
IF THIS BAR DOES
NOT MEASURE 1"
THIS COPY OF
THIS DOCUMENT IS
NOT TO SCALE

CADD	NAME	DATE
DESIGNED BY	JAW	06/05
DRAWN BY	JAW	06/05
CHECKED BY	DSA	06/05
APPROVED BY	DSA	06/05

Dyer, Riddle, Mills
& Freedman, Inc.



1505 East Colonial Drive - Orlando, Florida 32803
Certificate of Authorization No. 2648

PRELIMINARY DRAINAGE AND UTILITY LAYOUT PLAN

SEMINOLA BLVD. TOWN HOMES
VANSON ENTERPRISES, INC.

PROJECT NO.	05-0445.000
DATE	OCTOBER, 2005
SCALE	1"=20'
SHEET	4 OF 4

Mark David Sweeney, P.E.
State of Florida # 46007

SEMINOLE COUNTY, FLORIDA

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On January 6, 2006, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEGAL DESCRIPTION

LEG PT OF LOT 2 DESC AS BEG SW COR RUN N 9 DEG 16 MIN 1 SEC
W 240 FT E 142.70 FT S 12 SEC
23 MIN E 210.93 FT S 78 DEG 18 MIN 59 SEC W 151.06 FT TO BEG
ADD TO CENTRAL PARK PB 7 PG 9

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: Robert G. Iraci
3141 Knotting Pine Ave.
Winter Park, Florida 32792

Project Name: Seminola Blvd. Town Homes

Requested Development Approval:

Rezone from R-1A (Single-Family Dwelling) To PUD (Planned Unit Development).

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: TONY WALTER
1101 East First Street
Sanford, Florida 32771

Order**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 - a. The south entrance shall be relocated to align with the intersection of Seminola Blvd. and Button Road.
 - b. The applicant shall fund signal modifications required at Seminole Blvd. and Button Rd.
 - c. The applicant shall secure a cross access easement with Seminole County with the property to the south for the realigned southern entrance.
 - d. The applicant shall require that the minimum unit size be 1,200 square feet.
 - e. The applicant shall require that the minimum lot size be 20 feet by 44 feet.
 - f. The applicant shall require that garages not be converted to living space.
 - g. The applicant shall provide a minimum of 25% common usable open space.
 - h. The applicant shall provide a landscape plan and common usable open space plan prior to Final Master Plan approval.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first above.

By: _____
Carlton D. Henley
Chairman

STATE OF FLORIDA)

)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 20____.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

Order**OWNER'S CONSENT AND COVENANT**

COMES NOW, _____, the owner of the aforescribed property in this Development Order, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

Robert G. Iraci

Print Name

Witness

Print Name

STATE OF FLORIDA)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 20____.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LENGTHY LEGAL DESCRIPTION ATTACHED AS EXHIBIT); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE R-1A (SINGLE-FAMILY DWELLING) ZONING CLASSIFICATION THE PUD (PLANNED UNIT DEVELOPMENT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled Seminole Boulevard Town Home Rezone dated January 10, 2006

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. REZONINGS. The zoning classification assigned to the following described property is changed from R-1A (Single-Family Dwelling District) to PUD (Planned Unit Development District):

SEE ATTACHED EXHIBIT A

Section 4. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective on the recording date of the Development Order # _____ in the Official Land Records of Seminole County.

ENACTED this 10th day of January, 2006

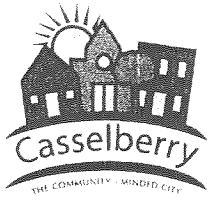
BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton Henley
Chairman

EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION

LEG PT OF LOT 2 DESC AS BEG SW COR RUN N 9 DEG 16 MIN 1 SEC W
240 FT E 142.70 FT S 12 SEC
23 MIN E 210.93 FT S 78 DEG 18 MIN 59 SEC W 151.06 FT TO BEG
ADD TO CENTRAL PARK PB 7 PG 9



City of Casselberry

Special Projects Coordinator

95 Triplet Lake Drive, Casselberry, Florida 32707 ▪ Telephone (407) 262-7725, Ext. 1237
Fax (407) 262-7767 ▪ Email pwallace@casselberry.org

October 13, 2005

Mr. Jennifer Wiewiora
DRMP
1050 East Colonial Drive
Orlando, Florida 32803

Subject: *Service Availability for Tax Parcel ID 08-21-30-501-0000-0020*

Dear Mr. Fraser:

With regards to the property known as the Proposed Townhomes (located near the intersection of Button Road & Seminola Boulevard) the City of Casselberry is the service provider for both water and sewer. The City has adequate capacity to support this proposed development of approximately 9 townhomes. Please be advised that the applicant will be required to pay the City the current water & sewer benefit and connection fees prior to installation of a meter to service the site. Also, you will be required to execute and return an Annexation form to the City before service will be provided. The City does not have reclaimed water to this site. All utility plans MUST be approved by the City of Casselberry.

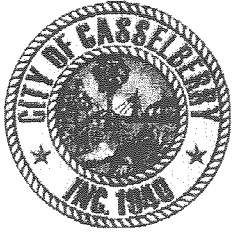
Should you have any questions or concerns regarding this issue, please feel free to contact me at 407/262-7725, extension 1237.

Sincerely,

Phyllis A. Wallace
Special Projects Coordinator

/paw

c: Tony Segreto, Interim City Manager -- *Duplicate, Do Not File*
 Bill Goucher, P.E., Interim Public Works Director/City Engineer -- *Duplicate, Do Not File*
 Dick Wells, Community Development Director
 File - PW/Availability 2005



City of Casselberry

Assistant Public Works Director

95 Triplet Lake Drive, Casselberry, Florida 32707 ▪ Telephone (407) 262-7725, Ext. 1234
Fax (407) 262-7767 ▪ Email cityengineer@casselberry.org

October 11, 2005

Jennifer Wiewiora
DRMP
1505 E. Colonial dr.
Orlando, FL 32803

Subject: Seminole County Parcel No. 08-21-30-501-0000-0020

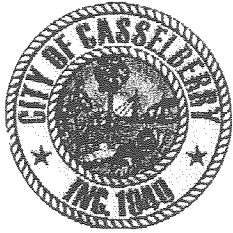
Dear Ms. Wiewiora:

This is to verify that the City of Casselberry has potable water service available for the subject project. There is also sanitary sewer available in the median of Seminola Boulevard, however, there was never a lateral constructed across Seminola to the subject parcel's property line. A jack and bore would be necessary to connect to the sewer main. Reclaimed water is not available to the property.

If you have any questions, please call me at 407-262-7725, extension 1234.

Sincerely,

William C. Goucher, P.E.
Interim Public Works Director



City of Casselberry

Chief Planner

95 Triplet Lake Drive, Casselberry, Florida 32707 • Telephone (407) 262-7700, Ext. 1108
Fax (407) 262-7763 • Email: ssmith@casselberry.org

TO: Tony Walters, Seminole County Planning Manager

FROM: Sandra J. Smith, AICP, Chief Planner

DATE: October 25, 2005

RE: Seminola Townhomes/ PIN 08-21-30-501-0000-0020
Rezoning from R-1A to PUD

Seminole County has received a request to rezone the referenced property in from R-1A to PUD. The site is .78 acres. Based on a joint inter-local agreement, the City is notified when properties in the County near the City limits are to be redeveloped. The City is allowed to comment on the proposed action. In this particular case, the City of Casselberry will be the utility provider for water and sanitary sewer. Therefore, an annexation agreement must be executed with the City prior to services being provided to the site. Staff comments regarding the zoning designation change are provided below.

Background

Seminole County Requirements:

Definition: Planned unit development: An area of land devoted by its owner to development as a single entity for a number of dwelling units **and** complimentary commercial uses in accordance with a plan which does not necessarily comply with the provisions of other zoning districts with respect to lot size, lot coverage, setbacks, off-street parking, bulk or type of dwelling, density, and other restrictions.

Sec. 30.441. Intent and purpose.

It is the purpose of this part to permit planned unit developments which are intended to encourage the development of land as planned communities; encourage flexible and creative concepts of site planning; preserve the natural amenities of the land by encouraging scenic and functional open areas and the multiple use of wetlands; accomplish a more desirable environment than would be possible through the strict application of the minimum requirements of conventional zoning districts; provide for an efficient use of land resulting in smaller networks of utilities and streets and thereby lowering development and housing costs; and provide a stable environment character compatible with surrounding areas.

- Development of a PUD that is both residential and commercial requires a minimum of 20 acres. No minimum size is required for residential development.

Site data: The current property is zoned R-1A (single family residential) and is less than 34,000 square feet in area (.78 acre).

Analysis

Casselberry Code provides the same opportunities for development of properties; however, the minimum allowed size of a PUD is three acres. This development tool is generally provided to maximize the use of larger properties for a mixed-use development with direct access to major collectors or arterials (Exhibit A).

If a standard Seminole County multi-family residential zoning designation is placed on this property, the following design standards would be required:

Required setbacks:	35 feet for the front, rear and side property lines
Open space:	35%
Landscape requirement:	Perimeter and Street-front
DUA:	10 - 13

Providing this site with the PUD designation allows the site to be proposed, and possibly approved, with:

Setbacks:	7.5' side, 32' front, and 45' rear
Open space:	25%
Landscape:	No street front
DUA:	20

Conclusion/Recommendation

Casselberry staff has reviewed the proposed site plan and provided comments regarding the intensity of the proposed development (Exhibit B). Staff concludes that this site is not appropriate for a PUD zoning designation since it is not a large development and the benefits obtained by the developer will be detrimental to the surrounding properties. The PUD designation will result in overdevelopment of an under-sized parcel; therefore, the City requests Seminole County to deny the request.

EXHIBIT A

Section 4-20.1. Purpose and intent.

Planned unit development districts (i.e., see planned residential district (PRD) and planned mixed-use districts (PMX-L and PMX-H)) are established to implement provision of the Comprehensive Plan directed toward conserving open space and natural resources, promoting more effective use of developable uplands with available urban services, and promoting mixed-use development of strategically located large parcels having urban services and direct access to major arterial streets.

The planned unit development districts provide a voluntary management framework for coordinating objectives of the development of the community which may be inconsistent with conventional zoning district provisions. The planned unit development districts incorporate a more flexible management structure for negotiating private sector development objectives which reinforce and further public sector goals, objectives and policies for the City's development and resource conservation.

The planned unit development districts are intended to:

1. Encourage innovative planning to achieve urban infill, commercial revitalization, and natural resource preservation. The planned unit development concept is intended to present developers incentives for accomplishing these objectives by providing significantly more flexibility in the design of future development. The planned unit development option frees developers from most of more rigid size and dimension criteria of Table 2-5.4 in Article V. However, the planned unit development option also is intended to require higher standards and increased amounts of urban design amenities than may be achieved through conventional development. Therefore, the site plan review process shall incorporate opportunities for flexibility and negotiation of development and design alternatives directed toward Comprehensive Plan objectives and these regulatory intents;
2. Promote efficient use of land by facilitating more cost-effective and environmentally sensitive site planning;
3. Create opportunity for clustered development as directed in the Comprehensive Plan on uplands adjacent to environmentally sensitive lands in order to allow for more efficient use of the uplands while conserving environmentally sensitive lands as open space and preserving private property rights to reasonable use of land;
4. Conserve and protect the natural environment including wetlands, natural habitat, drainage corridors, floodprone lands, and other environmentally sensitive lands; and
5. Provide for more useable and suitably located open space and recreation facilities and other public and common facilities than would otherwise be provided under conventional land development procedures.

Although the planned unit development districts provide opportunities for unique concepts, a planned unit development shall comply with the community character as promoted by the City Commission and shall be designed to limit impacts of the development internally within the confines of the planned unit development through compliance with the regulations established in the Comprehensive Plan and as stipulated in the land development regulations.

EXHIBIT B

Attached are Casselberry's staff comments regarding the proposed Seminola Townhomes project by DRMP. It does not meet several of the County's multi-family requirements as well as many of the City's requirements.

Community Development: Sandra Smith/ 262-7700 x:1108

1. The southern entrance is located on property owned by Marie Haas. This does not appear to be part of the development area. Please explain.
2. Seminole County Code requires a 35' front, rear, and side yard setback for two-story, multi-family dwellings. The front yard is only 32 feet and the side yards are only 7.5 feet.
3. Seminole County Code Section 30.1344 requires 35% open space. Additionally, landscaping is required around the perimeter and along the streets of major collectors and arterials. No landscaping is provided adjacent to Seminola Blvd.
4. A landscape plan was not provided. What type of landscaping is proposed around the site?
5. Will the driveway radii allow sufficient turning room for garbage trucks and tire equipment?
6. Are the townhomes to have fire sprinklers?
7. The roadway is 12' wide and the driveways are 20' deep (serves as a required parking space). Should a vehicle encroach into the roadway and the parallel parking space be utilized, sufficient room is not provided for through traffic.

City requirements:

8. A 10' wide street front landscape strip is required adjacent to the roadway. The right-of-way can not serve this purpose.
9. The bottom of retention ponds (wet and dry) are impervious. What is the impervious calculation for the entire site when this is a consideration?
10. The City requires a park impact fee of \$390 per residential unit to compensate for the required park/recreation area. Will the developer provide this payment to the City?
11. Buffers are required between multi-family projects and single family properties. The 7.5 foot side yard does not provide the appropriate buffer.

Public Works: Phyllis Wallace/ 262-7700 x:1237

1. Water and Sewer service will be provided by the City of Casselberry. Applicant must submit full engineered utility plans with details for approval by Public Works.
2. The current location of the water meters is unacceptable to the City. The water meters must be within the ROW of Seminola Boulevard.
3. The roadway is substandard and the City requests the roadway remain the private responsibility of the Association.
4. There is no pedestrian access from the units to Seminola Boulevard.
5. Appears that the roadway will be one-way; however 12' wide roadways may not accommodate emergency vehicles.
6. The radius of the southern driveway appears to be inadequate to support emergency vehicles.
7. As part of the Plat Recording – the applicant needs to state that:
 - a. The sanitary sewer lines from the ROW of Seminola Boulevard are private and will be the sole responsibility of the Association.
 - b. The water lines from the ROW of Seminola Boulevard are private and will be the sole responsibility of the Association.
 - c. The detention pond is the sole responsibility of the Association.
 - d. The roadway is the sole responsibility of the Association.
8. Where will the mail kiosk be placed?

9. Does the applicant propose to have outdoor lighting (street lighting)?
10. It appears that the southern driveway entrance is actually on the adjacent property. Please address how access onto private property will be granted.
11. What off-site warnings will be placed to indicate this subdivision entrance? The project is just around the curve of Seminola Boulevard and the existing driveways have caused conflicts with the traffic on Seminola Boulevard.

Fire Department: D.M. Jones, Fire Inspector /407-262-7735 x:1204

01. Plans show this project will be provided with fire sprinkler systems in each structure. What type of fire sprinkler systems NFPA 13, 13D or 13R will be installed in this project?
Provide plans from a licensed fire sprinkler contractor and advise the fire department of what type of system will be installed.
02. Fire Department Connection will need to be relocated to a more accessible location.
Contractor shall consult and confirm with the Fire Department as to the location of the FDC.
03. Entrance driveways and internal corners do not appear to be provided with the adequate turning radius. Fire Department requires a minimum of 60' 40' turning radius for access to this site.

Owner shall also be responsible for the supervision and maintenance contracts for the fire sprinkler systems at this site.

Please keep us informed as to the progress of this development and any revisions that may occur. Thank you for the courtesy of this review.

Principals

Wayne D. Chalifoux
Donaldson K. Barton, Jr.
Lucius J. Cushman, Jr.
Jon S. Meadows
Stephen L. Precourt
Lawrence L. Smith, Jr.



October 20, 2005

DRMP Job # 05-0445.000

Mr. Tony Walter, Project Manager
Seminole County Government
1101 East First Street
2nd Floor, West Wing
Sanford, FL 32771

**Subject: Seminola Blvd. Town Homes
Project Number 05-20500010
Rezone (PUD/PCD)
Review Staff Comments**

Dear Mr. Walter:

Your comments are listed below followed by our responses in bold.

A. Health Department

No Comments

B. Sheriff's Office

No Comments

C. Consistency with the Comprehensive Plan

1. Comment: The proposed zoning and use is compatible with the High Density Residential Land Use.

Response: Noted.

D. Zoning Issues

1. Comment: The 25% open space must be common usable open space.

Response: Noted. The proposed open space is 35.9% utilizing 50% of the dry pond as common usable space.

2. Comment: Please provide a letter from the City of Casselberry that they will serve

1505 East Colonial Drive
Orlando, Florida 32803
Phone: 407.896.0594
Fax: 407.896.4836

- Bartow, Florida
- Charlotte, North Carolina
- Chipley, Florida
- DeLand, Florida
- Ft. Myers, Florida
- Jacksonville, Florida
- Orlando, Florida
- Panama City Beach, Florida
- Tallahassee, Florida
- Tampa, Florida

1.800.375.3767
www.drmp.com

the site with potable water and waste water by October 14, 2005.

Response: Please see attached letter.

3. Comment: Please provide livable (area under heat/air conditioning) for the typical unit size.

Response: The smaller units contain 1,485 sq. ft. under a/c. The larger units contain 1,585 sq. ft. These areas exclude the garage and back porch.

4. Comment: Are there parking spaces within the units? If so, please provide the number and typical size of the garage area.

Response: A garage parking space is located within these units. It is 10' x 20' (200 sq. ft.). There are nine garages for nine units.

E. Concurrency Management

1. Comment: Please submit a Concurrency Management System Application and \$250.00 filing fee or submit a Deferral Affidavit and be tested for Concurrency with a later process. (GM 09/20/05)

Response: A deferral affidavit has been attached.

F. Building Division

1. Building Code Comments

The following comments are advisory and all may or may not pertain to your specific building project:

- a) Comment: All structures that are required to be accessible per 2001 Florida State Building Code - Chapter II, shall show the accessible route from the required accessible parking spaces to the accessible entrance to the structure.

Response: An accessible guest parking space has been added with accessible sidewalk ramps.

- b) Comment: In accordance with Chapter II Florida Accessibility Code for Building

Construction, at least one accessible route shall connect accessible buildings, facilities, elements, and spaces that are on the same site.

Response: Accessible ramps have been added to the sidewalk.

- c) Comment: The location of accessible parking spaces, loading zones, sidewalks, and exit ramps shall meet requirements of Chapter II, Florida Building Code.

Response: Noted.

- d) Comment: Food service establishments shall provide a minimum 750 gallon grease trap per Florida Accessibility Code 64.E6.

Response: There is no food service establishment on site.

2. Public Safety, Fire Loss:

- a) Comment: No objection to the rezone. (1.0. 9-28-05)

Response: Noted.

- b) Comment: Review for compliance with public safety and fire loss will commence at the time of site plan review . Please see Appendix G of the S .C.L.D.C. (T.C. 9-28-05)

Response: Noted.

THE REQUIREMENTS BELOW SHALL BE ON ALL SITE PLANS FOR SPRINKLED BUILDINGS:

- a) Comment: A class five contractor required to install fire lines.

Response: Noted.

- b) Comment: The fire line for sprinkled buildings starts at the double detector check valve.

Response: Noted.

- c) Comment: No other water connection shall be off of the fire line.

Response: Noted.

- d) Comment: The Fire Department Connection shall be with-in 200 feet of the fire hydrant.

Response: Noted.

- e) Comment: Any fire line charged by the FDC shall be DR-14 pipe.

Response: Noted.

- f) Comment: The only valve allowed in the FDC line is a check valve.

Response: Noted.

- g) Comment: All fire lines shall be inspected by the Fire Inspection Dept. before being covered.

Response: Noted.

A separate permit shall be required to install the FIRE LINE .

G. Community Resource Division

1. Addressing:

- a) Comment: Informational: Addressing fee due prior to permit submittal

Response: Noted.

- b) Comment: Regarding release of addressed plat: Per Seminole County Ordinance 00-22, 90.5/6b 'subdivisions will be addressed within 14 working days after recording the plat in the public records.'

Response: Noted.

- c) Comment: Information regarding subdivision name: Per Seminole County Ordinance 00-22, Names once approved shall be held until subdivision or site plan is no longer valid by exceeding development approval time limits.

Response: Noted.

H. Development Review

1. Natural Resources:

No objection to the rezone (WM 9/20/05)

2. Traffic Review:

No objection to the rezone under the following conditions:

- a) Comment: The south access as shown on the plans can not be approved as it does not meet separation requirements for a collector roadway such as Seminola Blvd. The applicant shall request a cross access easement with Seminole County so that the access can be located at the signalized intersection of Seminola Blvd. and Button Road.

Response: Cross Access Easement has been granted per vocal confirmation by Tom Radzai.

- b) Comment: Specifications shall be required if cross access is obtained and the access aligns with the intersection of Seminola Blvd. and Button Road.

Response: Noted.

- c) Comment: Driveway radii shall meet the minimum County standards.

Response: Noted.

3. Stormwater Management:

No objection to rezone. (ADW 09/26/05)

The following comments are to be addressed prior to final engineering approval, but are not limited to:

- i. Note that at final engineering the site must meet the Seminole County Land Development Code requirements with respect to storm water. Number of units may be reduced due to storm water design requirements. (ADW 09/26/05)
- ii. For land locked or deficient basins, total 100 year storm retention will be required. (ADW 09/26/05)
- iii. A portion of the site is in the 100-year flood plain. Any impacts to the 100-year flood plain will be required to be compensated. ADW 09/26/05)

4. Water and Sewer Utilities:

No objection to the rezone. (ADW 09/27/05)

The following comments are to be addressed prior to final engineering approval, but are not limited to:

- a) Comment: Provide a letter from the City of Casselberry stating that they approve the water and sewer utility design and have the capacity to serve the site is required prior to final engineering plan approval. (ADW 09/27/05)

Response: Noted.

5. Potable Water Capacity and Conservation:

- a) Comment: Provide a letter from the City of Casselberry on the availability of reclaim water to this site. (ADW 09/27/05)

Response: See attached letter.

6. Project Manager: No objection to rezone.

- b) Comment: Your DRC meeting is scheduled for 10/31/05 at 10:45, The DRC Agenda can be found at <http://www.seminolecountyfla.gov/pd/devrev/drc.asp>.

Response: Noted.

The following comments are to be addressed prior to final engineering approval, but are not limited to:

c) Comment: Are these to be fee simple ownership or condo units?

Response: These will be condo units.

d) Comment: How wide is the drive aisle, it appears to be less than the required 20' clear and unobstructed required for a one-way drive lane. Is this to be one-way?

Response: The one-way drive aisle is 24' to allow for on-street guest parking.

e) Comment: Please address the following parking concerns:

- This plan proposes 18' parking spaces; Seminole County LDC requires parking spaces to be 10' x 20'.

Response: Parking spaces have been modified to 10' x 20'.

- SCLDC requires 2 parking spaces for each unit; this plan provides only one per unit.

Response: Each unit includes a garage space and driveway space for a total of two spaces.

- How does this site propose to accommodate visitor parking?

Response: The drive aisle width allows for one-way movement and on-street parking.

f) Comment: Please itemize any and all revisions made to the site plan in addition to those made in response to staff comments; include a statement in your response to comments that no additional revisions have been made to the site plan beyond those stated. We will need one (1) extra site plan set if there are revisions in addition to those made in response to the County's comments.

Response: No additional revisions beyond those stated in response to comments have been made, except for the following:

1. The 10' landscape buffer was removed to allow for the 4' sidewalk, 24' drive-aisle, and 20' driveway.
2. The 10' maintenance berm across the rear of the pond was removed to allow for more room.
3. The preliminary lot layout plan sheet was divided into a lot layout sheet and a drainage and utility sheet for better clarity.

g) **Comment:** Advisory: Site layout may be subject to change based on Seminole County Land Development Code requirements for final engineering.

Response: Noted.

I. Public Works

No additional comments (JRB 10/04/05)

If you have any questions please do not hesitate to call our office at (407) 896-0594.

Sincerely,
Dyer, Riddle, Mills & Precourt, Inc.



Jennifer Wiewiora, E.I.
Project Engineer

cc: File